

PLANNING COMMISSION MINUTES - CITY OF INVER GROVE HEIGHTS

Tuesday, October 7, 2025 - 7:00 p.m.
City Council Chambers - 8150 Barbara Avenue

1. CALL TO ORDER

Chair Weber called the Planning Commission Meeting to order at 7:00 p.m.

The Pledge of Allegiance was recited.

2. ROLL CALL

Commissioner(s) Present: Jonathan Weber (Chair)
Scott Clancy (*Vice-Chair*)
Lance Twedt (*Secretary*)
Aida Schaefer
Jason Teiken
Connor Gosell
Robert Heidenreich
Amy Hunting
Dennis Wippermann

Commissioner(s) Absent: None.

Staff Present: Jason Ziemer, Community Development Director
Kevin Shay, Planning Manager
Stacy Bodsberg, Community Development Support Specialist

3. APPROVAL OF AGENDA

Motion by Weber, Second by Clancy, to Move item 5.A. to the Consent Agenda and Approve the remainder of the Agenda as Published.

Ayes: 9

Nays: 0 Motion Carried.

4. CONSENT AGENDA

A. Minutes of the September 3, 2025, Planning Commission Meeting.

Motion by Hunting, Second by Teiken, to Approve the Minutes as Published.

Ayes: 9

Nays: 0 Motion Carried.

B. Review of the Inver Grove Heights Five-Year Capital Improvement Plan (2026-2030) for Consistency with the 2040 Comprehensive Plan.

Commissioner Teiken asked for more information on the item.

Community Development Director Ziemer stated that the City updates its Capital Improvement Plan yearly, and it comes before the Planning Commission as a formality.

Motion by Weber, Second by Twedt, to Approve the Inver Grove Heights Five-Year Capital Improvement Plan (2026-2030) for Consistency with the 2040 Comprehensive Plan.

Ayes: 8 (Schaefer Abstained)

Nays: 0 Motion Carried.

5. PUBLIC HEARING

A. Consider a Request for Zoning Text Amendment Title 10 of the City Code (Zoning Regulations), Chapter 2, Section 2, (10-2-2, Definitions), and Title 10 of the City Code (Zoning Regulations), Chapter 15, Article E (10-15E, Signs and Billboards) for the purpose of updating definitions and standards specific to the use of campaign and temporary signs on residential property.

Reading of Public Notice

Secretary Twedt read the Public Hearing Notice.

Presentation of Request

Community Development Director Ziemer presented the staff report.

Background on Issues and Opportunities

- The City Attorney recently determined that existing City Code language on campaign (temporary and non-commercial) signs is a potential violation of First Amendment protected speech.
 - Size, placement, and duration of signs can be regulated; sign content *cannot* be regulated.
 - State Statute already regulates campaign sign display duration.
- During the September 2nd, 2025, Work Session, City Council reviewed the following proposed changes to the City Code regarding temporary yard signs on residential properties:
 - Add definition for “temporary sign” to create two sign types (temporary and portable).
 - Clarify that temporary signs are allowed in Agriculture, Estate, and Residential districts.
 - Exempt temporary signs from permits.
 - Repeal 10-15E-4 (current section regarding campaign signs).
 - Clarify placement regulations for temporary signs (newly proposed 10-15E-4).
 - Change setback to 10 feet from back of curb.
 - Rights-of-way vary widely; curb setback is a more consistent and accessible metric.
 - Add language about not putting signs in visibility triangle (outside corners).
 - Signs within the visibility triangle obstruct views for pedestrians, bicyclists, and drivers.
 - Setback and location rules for County and State roadways still apply.
 - Establish size limit (3 square feet per sign) and number limit (four per property) for temporary signs.
 - These limits do not apply during Election Season (46 days before Primary Election until 10 days after General Election).
 - Local, county, and state rules still apply.

Recommendations

City Council did not suggest specific parameters for sign number and size limits.

Staff recommend setting standards for signs outside of Election Season to allow enforcement when needed to address reasonable complaints.

Requested Action

Motion to recommend to the City Council approval of an ordinance as amended, with revisions by the Planning Commission (if any).

Commissioner Heidenreich questioned whether 10-15E-4.A.3 (sign placement regulations) applied to properties on private and county roads, as it currently reads "no sign may be located on the outside corner of any corner lot". Community Development Director Ziemer clarified that the placement regulations would only apply to properties abutting city streets, not county roads or state highways. Heidenreich suggested adding language to 10-15E-4.A.3 to clarify that.

Chair Weber suggested "any corner lot intersecting city streets".

Commissioner Heidenreich stated that if campaign signs meet the size, number, and location requirements for noncommercial signs, they can be left up indefinitely. The language in 10-15E-4.C ("Election Year Noncommercial Sign Exemption") could lead people to think otherwise (i.e., that campaign signs have to be taken down 10 days after the general election).

Community Development Director Ziemer clarified that the language in 10-15E-4.C refers to the state statute definition of Election Season but acknowledged that campaign signs could remain outside of that period if they comply with other signage regulations.

Commissioner Heidenreich stated that many real estate signs are larger than the 3 square foot limit and would like clarity on how the size limit is calculated. Ziemer stated that the size limit for temporary signs only includes the dimensions of the sign. There are different regulations in place for permanent/monument signs.

Chair Weber inquired as to the regulations on real estate signs. Ziemer stated that there were specific provisions in City Code addressing them.

Commissioner Heidenreich stated that if real estate signs can be larger than 3 square feet, it is discriminatory to limit other signs to 3 square feet. Ziemer stated that more updates to the sign ordinance are planned to address issues for the other types of signs; this proposal focuses on temporary signs.

Commissioner Heidenreich mentioned that bus benches are six feet from the curb, and those have signage. Ziemer stated that there is a separate agreement in place for bus benches.

Commissioner Heidenreich stated that this constituted selective enforcement. Signage regulations infringe on First Amendment rights. Ziemer reiterated that the First Amendment protects sign content, but not other aspects of signs (location, size, number, etc.).

Commissioner Heidenreich stated that using the safety rationale for restricting sign placement should mean that other signage types have the same placement regulations. A specific tanker truck parked on the side of a road that is currently being used to display a large advertisement and asked about how the portable sign regulations would apply in that case. Ziemer stated that he would be better able to respond to questions regarding specific issues if they were asked

prior to the meeting. Heidenreich stated that he did not have enough time to do so and requested to delay the item to allow for more consideration.

Chair Weber stated that in his experience City Code's signage ordinance is archaic and difficult to navigate, so he appreciates this attempt to revise it, but would rather evaluate proposed changes to all signage regulations at once (versus regulations of temporary and portable signs in particular).

Commissioner Heidenreich stated that he would also like to consider signage regulations all together. If a bus bench with signage 6 feet from the curb does not pose a safety hazard, then he feels temporary sign placement should not be restricted to 10 feet from the curb.

Chair Weber stated that one issue that needs to be addressed is when many commercial signs are placed in one area.

Commissioner Heidenreich stated that many real estate and development companies get around the existing regulations by placing their commercial signs on Friday nights and removing them on Monday mornings (before city crews can get to them).

Chair Weber inquired as to what the permitting process is for real estate/development signs. Ziemer stated that he could not speak on specific regulations applying to real estate signs; generally, real estate agents and developers can post signage advertising their properties.

Commissioner Heidenreich reiterated his view that whatever regulations apply to real estate/development signs should also apply to temporary and portable signs.

Chair Weber pointed out that many companies do not follow the regulations for real estate/development signage.

Commissioner Heidenreich added that there were business sign types not listed under the "portable sign" definition (e.g., the abovementioned tanker truck parked on the side of the road). Additional work on revising the ordinance was needed.

Chair Weber stated that temporary signage is a starting point for addressing enforcement issues.

Commissioner Hunting stated that 3 square feet was not a reasonable size limit. She suggested 6 square feet (2' by 3' sign dimension) as the size limit. She is in favor of limiting the number of signs to four. She suggested changing "all noncommercial signs" to "campaign signs" in 10-15E-4.C ("Election Year Noncommercial Sign Exemption") to clarify that the state statute defining Election Season only applies to the latter type of signs. Would it be possible to add language to the ordinance about restricting hate-related content on signs. Ziemer stated that per the Supreme Court, hate speech is protected under the First Amendment. In past cases where explicit signs led to complaints, the City worked with the property owner to convey residents' concerns about appropriateness, but the City does not have the authority to remove signs for their content. City staff agree that the entire sign ordinance needs updating, and that this proposal is an attempt to address the immediate issue of the current City Code having unconstitutional restrictions on campaign signs.

Commissioner Teiken stated that when he filed as a political candidate, he was given information about signage regulations. When City staff removed some of his campaign signs, they called to inform him where the signs were being held and why they were removed. He inquired about whether non-political people/groups who want to put up signs get this type of information from City staff. Ziemer stated that he was not aware of such a process, but that often the issue is that signs are being placed in the City right-of-way or otherwise on City property.

Commissioner Teiken stated that he wanted to see more outreach to groups that tend to put up signs regularly. More awareness of the rules would help reduce the need for enforcement.

Chair Weber mentioned that he mistakenly moved this item to the Consent Agenda; he intended to move a different item and would address it at the end of this item's discussion.

Commissioner Schaefer stated that the discussion helped her understand the importance of signage ordinance in terms of reducing staff workload and addressing compliance difficulties. The proposed size limit of 3 square feet seemed too restrictive. Is in favor of the size limit being 6 square feet (2' by 3') and that having four be the number limit for all zoning districts did not make sense. Would suggest changing that language to "up to 4 signs per acre" to prorate the number of signs allowed based on property size.

Community Development Director Ziemer stated that basing the number limit on acreage would make it more difficult for residents to understand the ordinance and more difficult for staff to enforce it.

Commissioner Schaefer suggested instead adding language specifying number limits for signs based on zoning districts (like the restrictions on number of Accessory Dwelling Units, or ADUs).

Chair Weber stated that the situations were different in that ADUs are permanent and the signs are not.

Commissioner Schaefer stated that temporary signs can be left up indefinitely.

Chair Weber stated that a number limit based on zoning districts would also make enforcement more difficult for staff and it would introduce unnecessary complications.

Community Development Director Ziemer stated that the idea of allowing more signs on larger properties made sense, but in practice, it would work better to have a simple and consistent number limit.

Commissioner Schaefer asked how neighboring cities handle sign regulations.

Community Development Director Ziemer stated that he did not have specific information on that, but some cities require a permit for temporary signs.

Commissioner Schaefer asked about adding language to allow people to apply for a permit to display more than four signs.

Community Development Director Ziemer stated that the permit process creates additional work for staff; one goal of the ordinance is to reduce staff workload pertaining to sign regulations.

Chair Weber stated that some cities set financial penalties for repeated violations of sign ordinances, e.g., in Eagan, a first violation results in a warning, and the second results in a \$100 fine.

Commissioner Heidenreich stated that Rosemount didn't have a sign ordinance. Size limits cannot be different for different types of content. Enforcement of the proposed ordinance seemed impossible to enforce and suggested not having a sign ordinance.

Chair Weber suggested tabling the item and recommending further revision of the language on size, number, and placement regulations.

Motion by Teiken, Second by Heidenreich; to Move item 5.A. back to Public Hearing and Move item 6.A. from Regular Agenda to Consent Agenda.

Ayes: 9

Nays: 0 Motion Carried.

Commissioner Twedt commented that increasing ordinance complexity would lead to decreasing cooperation. He said that simpler, less restrictive language would be easier for people to understand and make compliance more likely.

Commissioner Gosell stated that he did not see a need to table the item. The proposed language adds clarity to residents, so he is in favor.

Commissioner Hunting stated that she would be in favor of the proposed language, with the incorporation of the edit she suggested earlier (adding "election signs" to specify that Election Season only applies to these signs).

Commissioner Heidenreich reiterated that having different regulations based on different sign types constituted selective enforcement.

Commissioner Hunting stated that per State Statute, the rules for election signs are already different than those for other signs.

Commissioner Heidenreich stated that this difference in rules was only during Election Season.

Commissioner Hunting stated that the proposed language would not lead to additional control of sign content.

Community Development Director Ziemer summarized the proposed edits:

- 10-15E-4.A.3: Add "on a city street" after "any corner lot"
- 10-15E-4.B.2: Change "three (3) square feet" to "six (6) square feet"
- 10-15E-4.C: Change "all noncommercial signs" to "election signs"

Chair Weber stated that car dealerships put many signs out, felt that the number limit of four would be an issue for them. Disagrees with having a single sign number limit for all properties.

Motion by Gosell, Second by Clancy, to Approve the request for an Amendment to the City Code regarding temporary signs, with the proposed edits to 10-15E-4.A.3 and 10-15E-4.B.2

("on a city street" and "six (6) square feet"), and to recommend that City staff work with the City Attorney to evaluate 10-15E-4.C to determine the constitutionality of the proposed "election signs" edit.

Ayes: 7

Nays: 2 (Heidenreich, Twedt) Motion Carried.

This item is tentatively scheduled to go before the City Council on October 13, 2025.

Opening of Public Hearing

There was no one in attendance.

6. REGULAR BUSINESS

Planning Manager Shay provided an update on the status of items from previous meetings. The 9082 Buchanan Trail cannabis dispensary was approved by City Council. The land use table updates were also approved.

Chair Weber asked whether the beekeeping land use change was incorporated in the approved tables. Planning Manager Shay confirmed that that change was incorporated.

The Planning Commission meeting scheduled for October 21, 2025, has been canceled.

The next Planning Commission meeting will be held on Wednesday, November 5, 2025, as scheduled.

7. ADJOURN

Motion to adjourn the meeting at 7:54 p.m.

Respectfully submitted by Will Clashe, Recording Secretary.